

05/13/2004 13:42 FAX

MAY 13 2004

001

Knobbe Martens Olson & Bear LLP

Intellectual Property Law

2040 Main Street
Fourteenth Floor
Irvine, CA 92614
Tel 949-760-0404
Fax 949-760-8502
knob.com**CONFIRMATION COPY WILL FOLLOW VIA:**

- ☐ MAIL
☐ INTERNATIONAL AIRMAIL
☐ COURIER
☐ E-MAIL
☒ WILL NOT FOLLOW
☐ HAND DELIVERY
☐ WITH ENCLOSURES
☐ WITHOUT ENCLOSURES

Don W. Martens*
 James B. Bear
 Darrell L. Olson*
 William B. Bunker
 William H. Nisaman
 Arthur S. Rose
 James F. Lesniak
 Ned A. Israelson
 Drew S. Hamilton
 Jerry T. Sewell
 John B. Sganga, Jr.
 Edward A. Schlatter
 Gerard von Hoffmann
 Joseph R. Re
 Catherine J. Holland
 John M. Carson
 Karen Vogel Weil
 Andrew H. Simpson
 Jeffrey L. Van Hooser
 Daniel E. Altman
 Stephen C. Jensen
 Vito A. Canuso III
 William H. Shreve
 Lynda J. Zadra-Symest
 Steven J. Natsupsky
 Paul A. Stewart
 Joseph F. Jennings
 Craig S. Summers
 AnneMarie Katsler
 Brenton R. Babcock
 Thomas F. Smegal, Jr.
 Michael H. Trenholm
 Diane M. Reed
 Ronald J. Schoenbaum
 John R. King
 Frederick S. Beretta
 Nancy W. Vansko
 John P. Glezentanner
 Adool S. Akhtar
 Thomas R. Arno
 David N. Welas
 Daniel Hart, Ph.D.
 Douglas G. Muehlhauser
 Lori Lee Yamato
 Michael K. Friedland
 Dale C. Hunt, Ph.D.
 Richard E. Campbell
 Stacey R. Halpern
 Lee W. Henderson, Ph.D.
 Mark M. Abumari

Jon W. Gurka
 John W. Holcomb
 Joseph M. Reisman, Ph.D.
 Michael L. Fuller
 Eric M. Nelson
 Mark R. Benedict, Ph.D.
 Paul N. Conover
 Robert J. Roby
 Sabing H. Lee
 Karoline A. Delaney
 Joseph S. Cianfrani
 William R. Zimmerman
 Paul C. Steinhart
 Eric S. Furman, Ph.D.
 Susan M. Natland
 James W. Hill, M.D.
 Deborah S. Shepherd
 Glen L. Nuttall
 Tirzah Abé Lowe
 Sanjivpal S. Gill
 Rode M. Thossen, Ph.D.
 Michael A. Guilianna
 Mark J. Kertz
 Rabinder N. Narula
 Bruce S. Itzhakowitz, Ph.D.
 Michael S. Okamoto
 John M. Grover
 Mallory K. De Martier
 Irfan A. Lateef
 Amy C. Christensen
 Sharon S. Ng
 Mark J. Gallagher, Ph.D.
 David G. Jankowski, Ph.D.
 Brian C. Horne
 Payson J. LeMcilour
 Sheila N. Swaroop
 Ben A. Katzenellenbogen
 Linda M. Liu
 Andrew N. Marickel, Ph.D.
 David L. Hauser
 James F. Hertenhoff
 Scott Loras Murray
 Andrew M. Douglas
 Marc T. Morley
 Salima A. Merani, Ph.D.
 Sam K. Tahmassebi, Ph.D.
 Christy G. Lee
 Jonathan A. Hyman
 Curtiss C. Dozier
 Joseph J. Mallon, Ph.D.

Thomas P. Krzeminski
 Sean M. Murray
 Eleanor Niu
 Valerie L. Bracken
 J. David Everedtt
 Perry D. Oldham
 Jerry L. Hefner, Ph.D.
 Russell M. Jaida
 Abraham W. Chuang
 Pui Tong Ho, Ph.D.
 Erik T. Anderson
 John L. Palk
 Jesse A. Rothwell
 Marc C. Baumgartner
 Danielle Klausner
 Kyo F. Schluster
 Raphael A. Gutierrez
 Damian K. Jackson
 Nathan A. Engels
 Gregory A. Hermonson
 Zi Y. Wong
 John N. Kandara
 Matthew S. Bellinger
 David K. Wiggins
 Darryl H. Steensma, Ph.D.
 Lauren J. Koller
 Ted M. Cannon
 Carol M. Pitzel
 Josué A. Villalta
 Sheila R. Gibson
 Andrew I. Kimmel
 Curtis R. Huffmlre
 Tina Chen
 Brenden Ginchich, Ph.D.
 Christopher L. Ross
 Don W. Anthony, Ph.D.
 John G. Rickenbrode
 Aaron D. Barker
 Christian A. Fox
 M. Todd Hales
 Eli A. Loola, Ph.D.
 Jennifer L. Ennen, Ph.D.
 Shualb A. Attique
 Ryan E. Melnick, Ph.D.
 Brian C. Leubitz
 Yanna S. Bouris
 Philip M. Nelson
 Karl L. Klassen
 Jason T. Evans

Of Counsel
 Louis J. Knobbe*
 Jerry F. Seller
 Japanese Patent Atty
 Katsuhiko Arai
 Tomohisa Sugiyama

Korean Patent Atty
 Mincheol Kim
 Heungdoon Choi

Scientists & Engineers
 (Non-Lawyers)

Raimond J. Saleniks**
 Khurram Rahman, Ph.D.
 Jennifer Haynes, Ph.D.**
 Che S. Cherepkin, Ph.D.**
 James W. Austley**
 Kirk E. Pastorek, Ph.D.**
 Connie C. Tong, Ph.D.**
 Suzanne Jepson, Ph.D.**
 Nira M. Brand**
 Tiffany C. Miller**
 James W. Chang, Ph.D.**
 Marina L. Gorday, Ph.D.**
 W. Frank Dauter
 Lang J. McHardy**
 Karen J. Lenker
 Chris Westberg, Ph.D.
 Eric B. Ives, Ph.D.**
 Raymond D. Smith, Ph.D.

* A Professional Corporation
 † Also Barrister At Law (Eng. & Wales)
 ** U.S. Patent Agent
 †† Also Solicitor (Eng. & Wales)

Facsimile Transmittal Sheet**Confidentiality Notice:**

The documents accompanying this facsimile transmission contain confidential information which may be legally privileged. The information is intended only for the use of the recipient named below. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original documents to us; and any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited.

To: Examiner Neill R. Wilson
 FIRM: United States Patent and Trademark Office
 YOUR REF.: Serial No. 09/585,134
 FACSIMILE NO.: (703) 872-9306
 FROM: Michael A. Guilianna
 DATE: May 13, 2004

OUR REF.: TRACKER.001C1
 Group Art Unit: 3679

OPERATOR: Ping-Ping Tang
 NO. OF PAGES: 4 (incl. cover sheet)
 TIME:

IF YOU DID NOT RECEIVE ALL OF THE PAGES PLEASE CALL BACK IMMEDIATELY

OPERATOR PHONE NO.: (949) 760-0404

FACSIMILE NO.: (949) 760-9502

MESSAGE:

550 West C Street
 Suite 1200
 San Diego CA 92101
 Tel 619-235-6550

201 California Street
 Suite 1150
 San Francisco CA 94111
 Tel 415-554-4114

1901 Avenue of the Stars
 Suite 1500
 Los Angeles CA 90077
 Tel 310-331-3430

3409 Tenth Street
 Suite 700
 Riverside CA 92501
 Tel 909-791-4221

1114 Marsh Street
 San Luis Obispo CA 93401
 Tel 805-547-5580
 Fax 805-547-5590

Docket No.: TRACKER.001C1

Customer No.: 20,995

AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Stephen Albertson et al.
 App. No. : 09/585,134
 Filed : June 1, 2000
 For : CATEGORIZING
 FASTENERS AND
 CONSTRUCTION
 CONNECTORS USING
 VISUAL IDENTIFIERS
 Examiner : Wilson, Neill R.
 Art Unit : 3679

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being transmitted via facsimile to Examiner Neill R. Wilson, Fax No. (703) 872-9306 (Central fax) of the USPTO on the date shown below:

May 23, 2004

(Date)

Michael A. Guiliana, Reg. No. 42,611

RECEIVED
CENTRAL FAX CENTER

MAY 13 2004

OFFICIAL

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

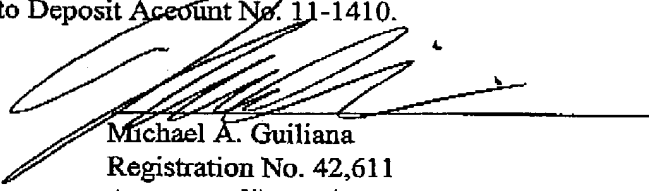
Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Supplemental Response in 2 pages.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.

The fee has been calculated as shown below:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Total Claims	38 - 38 = 0	2202 (\$9)	0 x 9 =	\$0
Independent Claims	6 - 0 = 0	2201 (\$43)	0 x 43 =	\$0
			TOTAL FEE DUE	\$0

- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.


 Michael A. Guiliana
 Registration No. 42,611
 Attorney of Record
 Customer No. 20,995
 (949) 760-0404

H:\DOCS\MAG\MAG-6319.DOC 051304

TRACKER.001C1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen Albertson et al.
Appl. No. : 09/585,134
Filed : June 1, 2000
For : CATEGORIZING FASTENERS
AND CONSTRUCTION
CONNECTORS USING VISUAL
IDENTIFIERS
Examiner : Wilson, Neill R.
Group Art Unit : 3679

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being transmitted via facsimile to Examiner Neill R. Wilson, Fax No. (703) 872-9306 (Central fax) of the USPTO on the date shown below:

May 13, 2004

(Date)

Michael A. Guiliana, Reg. No. 42,611

SUPPLEMENTAL RESPONSERECEIVED
CENTRAL FAX CENTER

MAY 13 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OFFICIAL

Dear Sir:

Supplemental to the Amendment filed March 23, 2004, applicant submits the following remarks in connection with the above-captioned application.

REMARKS

Applicants would like to thank Examiner Wilson for the courteous interview extended to applicants' counsel, Michael A. Guiliana, on April 22, 2004. During the interview, the Examiner indicated that the Amendment filed March 23, 2004 appears to overcome all of the outstanding issues with respect to the outstanding office action.

However, during the interview, Examiner Wilson indicated that it would helpful if Applicants submitted comments as to the relevance of U.S. Patent No. 5,511,917 issued to Dickson. In response, Applicants' counsel agreed to submit comments regarding the Dickson reference to the effect that the Dickson reference teaches one form of the prior art discussed in the Background section of the present application. For example, as set forth in the present application from page 2, line 17 through page 3, line 2:

Prior attempts to solve this problem have been unsuccessful. For example, one such attempt is described in U.S. Pat. No. 5,511,917 issued to Charles F. Dickson, the entirety of which is incorporated by reference as if fully set forth

-1-